



# House of Representatives

General Assembly

**File No. 509**

*January Session, 2003*

Substitute House Bill No. 6451

*House of Representatives, April 23, 2003*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE RETENTION OF TAPE RECORDED REPORTS OF CHILD ABUSE AND NEGLECT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-103 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Any mandated reporter acting outside [his] such reporter's  
4 professional capacity and any other person having reasonable cause to  
5 suspect or believe that any child under the age of eighteen is in danger  
6 of being abused, or has been abused or neglected, as defined in section  
7 46b-120, may cause a written or oral report to be made to the  
8 Commissioner of Children and Families or [his] the commissioner's  
9 representative or a law enforcement agency. The Commissioner of  
10 Children and Families or [his] the commissioner's representative shall  
11 use his or her best efforts to obtain the name and address of a person  
12 who causes a report to be made pursuant to this section. In the case of  
13 an oral report, such report shall be recorded on tape and the

14 commissioner or [his] the commissioner's representative shall  
 15 announce to the person making such report that such report is being  
 16 recorded and shall state the penalty for knowingly making a false  
 17 report of child abuse or neglect under subsection (c) of section 17a-  
 18 101e. The commissioner shall maintain such tape recording for not less  
 19 than five years.

20 (b) Notwithstanding the provisions of section 17a-101k, if the  
 21 identity of any such person who made a report pursuant to subsection  
 22 (a) of this section is known, and the commissioner or [his] the  
 23 commissioner's representative suspects or knows that such person has  
 24 knowingly made a false report, such identity shall be disclosed to the  
 25 appropriate law enforcement agency and to the perpetrator of the  
 26 alleged abuse.

27 (c) If the Commissioner of Children and Families, or [his] the  
 28 commissioner's designee, receives a report alleging sexual abuse or  
 29 serious physical abuse, including, but not limited to, a report that: (1)  
 30 A child has died; (2) a child has been sexually assaulted; (3) a child has  
 31 suffered brain damage, loss or serious impairment of a bodily function  
 32 or organ; (4) a child has been sexually exploited; or (5) a child has  
 33 suffered serious nonaccidental physical injury, [he] the commissioner  
 34 shall, within twenty-four hours of receipt of such report, notify the  
 35 appropriate law enforcement agency.

This act shall take effect as follows:	
Section 1	October 1, 2003

**KID**            *Joint Favorable Subst. C/R*

JUD

**JUD**            *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Department of Children and Families	General Fund - Savings	Minimal	Minimal

**Municipal Impact:** None

**Explanation**

A minimal savings will result for the Department of Children and Families as the agency will have to procure storage for fewer taped recordings. Current statutes require that the agency keep these recordings indefinitely. Under the bill they would have to be retained for at least five years.

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**OLR Bill Analysis**

sHB 6451

***AN ACT CONCERNING THE RETENTION OF TAPE RECORDED  
REPORTS OF CHILD ABUSE AND NEGLECT***

**SUMMARY:**

This bill requires the Department of Children and Families to keep for at least five years tape recordings of calls it receives from mandated reporters acting outside their professional capacity and others who voluntarily report child abuse.

EFFECTIVE DATE: October 1, 2003

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 12      Nay 1

Judiciary Committee

Joint Favorable Report

Yea 36      Nay 0